

have used over the past decades as an effective waste management tool. In fact, flow control has enabled communities in more than 40 States to meet the Federal mandates of the Resource Conservation and Recovery Act [RCRA] in a cost-effective, safe, and efficient manner.

Since the Court decision, these communities have found themselves seriously overburdened. Because they needed to secure revenue bonds to finance costly, but highly advanced waste technologies, these communities now face a total outstanding debt of more than \$10 billion. Several communities have already seen their credit ratings downgraded as a result of this debt—including five counties in my home State of New Jersey. And they are likely to be joined by others as investment services weigh the consequences of Congress' inability to swiftly grandfather their flow control authority.

You may recall that I introduced legislation on the first day of the session as a legislative remedy. That bill—the Community Solvency Act (H.R. 24)—is the identical text of legislation approved by the House by unanimous consent on October 7, 1994. The substance of H.R. 24 and that which Mr. OXLEY and I have now introduced (H.R. 1085) is largely the same; but the 11th-hour drafting style of H.R. 24 has been enormously improved in the Local Governments Flow Control Act of 1995.

This new bill represents the same strong commitment to local governments as its predecessor. Those communities which had practiced flow control or had made significant commitments of time, resources, and money—as specifically defined in both bills—toward implementing flow control are still grandfathered. They will be able to maintain the integrated waste systems which they have labored to establish in an effort to meet the waste treatment and disposal needs of their residents in a cost effective, safe, efficient, and environmentally sound manner.

This new bill also represents our dedication to the principles of competition and a free and open market. All communities will be required to meet strict needs test analyses—to prove that flow control can meet the needs of the community better than an entirely unfettered market—and detailed competitive designation processes—to ensure that there is no unfair discrimination against any private or public sector market participant.

Finally, where the Local Governments Flow Control Act represents a vast improvement over its predecessor is in its simplicity. The numerous cross references and redundant phrases have been eliminated and replaced with definitions and well-ordered sections making this bill far easier to read and comprehend. Furthermore, those sections of the bill which had been ambiguous and a possible invitation to future litigation have been clarified.

This fine-tuning has brought the substance of the bill even closer to the position which several private sector waste companies are now supporting. Both Mr. OXLEY and I believe that this bill is truly a compromise which can benefit all parties at the negotiating table—local governments, Wall Street, private sector waste companies, and recycling interests.

Yesterday, I presented this bill to the Senate Subcommittee on Superfund, Waste Control and Risk Assessment during a hearing held on this matter and interstate waste control. I pointed out in my testimony that, particularly for my home State of New Jersey, the two is-

ssues are linked. Within the span of two decades, New Jersey went from the top importer of other States' waste to the No. 2 exporter. Twenty-five years ago, the State instituted a carefully designed waste management statute based on the premise of flow control. This statute places a strong emphasis on recycling efforts and integrated waste systems which are managed by the counties of the States, either individually or through interdistrict agreements.

One of the key objectives of New Jersey's waste management laws is self-sufficient waste management by the year 2000. The State is well on the way to its goal. Recycling is close to 60 percent in parts of the State and averaging 50 percent overall. Upon completion of two projects already in the works when the Carbone decision was handed down, the State expects to be capable of treating and disposing approximately 88 percent of its waste within its own boundaries. When the plan has been fully implemented, the State expects to export only 5 percent of its solid waste; thereby addressing through its own initiative the concerns of Midwestern States which are seeking to close their borders to other States' waste.

However, as I previously noted, flow control is the linchpin to the success of the New Jersey system. Without that authority, we can no longer be confident of meeting our worthy goals.

I urge you to join Chairman OXLEY, Mr. PALLONE, Mr. MINGE, Mrs. ROUKEMA, Mr. SAXTON, and me in cosponsoring the Local Governments Flow Control Act of 1995 and in the effort to provide prompt passage through the Congress of this important and necessary relief for local governments.

WESTMINSTER CELEBRATES SIXTH NATIONAL CHAMPIONSHIP

HON. RON KLINK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. KLINK. Mr. Speaker, I rise today to congratulate Westminster College, in New Wilmington, PA, the 1994 NAIA Division II Football National Champions.

The Westminster Titans finished the 1994 season with a trip to the NAIA national championship game in Portland, OR, on Saturday, December 17, 1994. They won the national championship by defeating the defending national champions, Pacific Lutheran University, by a score of 27 to 7.

Winning has long been a tradition at Westminster, and this year marks the 100th year of football at the college. Over the past 100 years, Westminster has set numerous NAIA Division II records. They have 6 Division II titles; 9 championship game appearances, including 5 in the last 7 years and 2 straight; 15 playoff appearances, including 8 straight; and 30 playoff victories. All of these are NAIA bests.

In addition to the success of the team, several individuals were honored by being named to the NAIA Football All-American Team. They include Andy Blatt—running back—and Brian Germanoski—defensive tackle—named as first team selections; Craig Mills—inside line backer—as a second team choice; and Tim McNeil—defensive back-wide receiver, Nate

Armstrong—offensive tackle, Sean O'Shea—quarterback, and B.J. Hoening—defensive tackle—all earning honorable mention. Head coach, Gene Nicholson, was also named 1994 NAIA Division II Football National Coach of the Year.

I commend the Titans on their successful season, in this, their 100th year of football, and look forward to another century of continued success.

TRIBUTE TO THE 90TH ANNIVERSARY OF GAINES COUNTY

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. COMBEST. Mr. Speaker, I rise to salute Gaines County, TX, as they celebrate their 90th anniversary. In October 1905, Gaines County was officially organized. This new county was named for James Gaines, an original signer of the Texas Declaration of Independence, whose fierce spirit of independence, strength, and steadfastness was exemplified by the early settlers of Gaines County.

West Texas and the Permian Basin area have a rich and varied heritage, beginning with the native Americans and Mexicans who roamed the Llano Estacado and continuing through current day with the ranchers and farmers who thrive in modern-day Gaines County. When ranchers first arrived, cattle and sheep roamed the fertile grasslands of the area, and even today these animals provide a livelihood for many who live there. After the ranchers, the farmers arrived, and experienced the difficulties of west Texas agriculture. The farmers, too, survived hard times when they discovered rich soil beneath the sandy surface. This fertile soil is the very reason that today Gaines County is the leading cotton and peanut producing county in the State of Texas.

The farming and ranching industries of Gaines County should in no way overshadow the rich oil supply which makes Gaines County one of Texas' major oil suppliers. In light of the severe challenges that the oil industry has faced in recent times, the nature of this profession has changed dramatically, and the people of Gaines County are working to meet these ever-changing needs.

For 90 years, Gaines County has persevered through hardship and adversity to become a strong and thriving community. In the next 90 years, I am confident the county will continue its growth and expansion and remain a wonderful place to live, work, and raise families.

H.R. 1022

HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. MINGE. Mr. Speaker, on February 28, 1995, Mr. JOHNSON of South Dakota submitted comments regarding H.R. 1022, the Risk Assessment and Cost-Benefit Act. I share Mr.

JOHNSON's views and wish to restate them for the record. I voted for H.R. 1022 yesterday as a means of allowing the debate to continue. Like Mr. JOHNSON, I find the bill flawed and in need of much improvement by the Senate or conference committee. If the bill is not improved, I will not be able to vote for its final passage. Overall, I support the general thrust of requiring risk assessment and cost-benefit tests for Federal regulations. However, like the gentleman from South Dakota, I believe that the current version of this legislation will lead to costly increases in Federal bureaucracy and litigation, and possibly pose a risk to public health and safety. The House leadership seems more concerned about making political statements with this bill than in crafting legal language that would actually serve the public interest. I am optimistic, however, that this issue will receive more deliberate and responsible consideration in the Senate, and I believe it should now be moved to the Senate for that consideration. Again, I want to make it clear that like Mr. JOHNSON, I will not vote for final passage of this legislation unless significant improvements have been made.

TRIBUTE TO ROBERT D. CLARK

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. FAZIO of California. Mr. Speaker, I rise today to honor a selfless community leader and constituent, Mr. Robert Clark. For 25 years, Mr. Clark served as general manager of the Glenn-Colusa Irrigation District [GCID]. He was also secretary to the district's board of directors.

His job was a difficult one, and he carried it out with incredible success and professionalism. Water is an extremely important resource, especially to the farmers and ranchers in agricultural-rich California. Back home, my constituents depend on this all-important resource for their livelihood and for the lives of a country that depends on the nourishment from their agricultural product.

Mr. Clark was responsible for ensuring water delivery to approximately 175,000 acres of land. He was in charge of mitigating all of the problems associated with water delivery, and let me tell you from firsthand experience the headaches are, indeed, many. I have worked with Mr. Clark and the GCID board of directors on difficult and ongoing issues such as salmon protection, riffle restoration, and dredging.

In this time of intense struggle for balance among environmental protection and water and land use, Mr. Clark was a rational and calm voice. His constant demeanor was remarkable considering that he supervised water deliveries to over 20,000 acres in three national wildlife refuges. On his watch, GCID irrigated up to 140,000 acres in fertile agricultural land.

Among his most notable accomplishments, was a \$20 million rehabilitation program for the district's main canal system, including the construction early last decade of a new pump station. That effort added capacity and increased the security of the water distribution system.

Mr. Clark also accomplished the refinement of hydraulic measurement within the district, which led to the implementation of more equitable water distribution to water users.

In addition to his work at GCID, Mr. Clark has participated in professional water resource activities, worked as an international consultant in the irrigation field and served as a director of the Water Education Foundation.

Mr. Speaker, I ask my colleagues to join me today in honoring Mr. Clark for his many years of service to the Glenn-Colusa Irrigation District. Personally, I will miss him very much. I wish him much happiness and continued success in all his future endeavors.

KCPT PRESIDENT SPEAKS OUT ON PUBLIC BROADCASTING

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Ms. MCCARTHY. Mr. Speaker, with the House of Representatives on the verge of considering rescissions legislation that would cut Federal funding for the Corporation for Public Broadcasting by 15 percent in 1996 and 30 percent in 1997, I commend to my colleagues a statement recently prepared by William R. Reed, the president of KCPT—channel 19, which is Kansas City's public television station.

Bill's statement, which is a response to common reasons given for the elimination of Federal funding for public broadcasting, follows:

REASONS GIVEN FOR THE ELIMINATION OF FEDERAL FUNDING FOR PUBLIC BROADCASTING (By Bill Reed)

1. Public broadcasting funds liberal and controversial programs with federal dollars. Taxpayers' money should not be used for these purposes.

While KCPT does not receive large numbers of complaints about our political coverage, those received come equally from both left and right. For example, KCPT received many calls from liberals who were upset that McNeil/Lehrer devoted a large amount of time interviewing Senator Dole and Congressman Gingrich. And on the other side, we hear complaints about Bill Moyers' alleged liberal bias. But on balance, I believe KCPT is perceived by most viewers to be apolitical or non-political, as we should be. I think that McNeil/Lehrer is the most balanced program covering political issues on television anywhere.

PBS is aware of this criticism, and I have heard that staff are taking steps to ensure more internal balance in individual programs, rather than relying on balance over a series of programs. PBS President Ervin Duggan's proposed Democracy Project, which is coverage of the 1996 national elections, will have an emphasis on fairness and balance.

The statement that public television occasionally airs controversial programming is true, and the program of controversy last year was Armistead Maupin's *Tales of the City*, a six-hour series about San Francisco in the mid 1970s.

Before KCPT aired *Tales*, Dave Welsh, Vice President for Broadcasting, Katherine Soden, Director of Programming, and I viewed the series at least twice. The decision to air the series was not an easy one because we knew that it would be controversial—it

contained strong language, drug use, homosexual relationship and some brief nudity (and no sex or violence). But it was also brilliant television with a legitimate look at a specific time and place in our history. The series was a moral tale with the central character, Mary Ann, a young woman from the Midwest who did not give in to the lifestyles of that time—the drug use and the promiscuity—because of her values. *Tales of the City* was more a story about the emptiness of lives lived without commitment, without a moral core, than anything else.

KCPT received about 200 telephone calls and letters about the series—about 100 for and 100 against. Congress, however, reportedly received over 100,000 postcards as a result of a national campaign by the American Family Association and its president, the Reverend Donald E. Wildmon, against the series.

Even if one did not like the series, should funding be eliminated because of six hours of programming? What about the other 5,994 hours KCPT airs each year? Obviously, *Tales* and other potentially controversial programs raise some profound questions. Should KCPT censor programs if we think they might be controversial, even if they are good television dealing with legitimate issues? What about individual choice? And what about the "off" button? But these questions, as they relate to this series, anyway, may be moot. PBS has decided not to fund a sequel to *Tales of the City*.

2. We should privatize public television.

One of public television's strengths is that it serves many specialized audiences: Sewing programs, the old Lawrence Welk shows, cooking programs, GED programming, gardening programs, carpentry programs, how-to-fix-up-your-house programs, and painting programs. All these target audience programs would disappear because there simply are not large enough audiences to support them with commercial advertising.

Programming currently airing on Discovery, Arts and Entertainment and Nickelodeon cable channels attract smaller audiences than on public television, but they continue to exist financially because those channels are owned by large corporations with a financial interest in the success of cable television as a larger business. For example, Nickelodeon is owned by Viacom, Inc., which also owns the MTV and VH-1 cable channels. While there are commercials on those channels, they are also supported by the cable companies' carriage fees and their owners' subsidies. None of those three cable channels is making a profit—they are loss leaders for the cable companies. But, to the public and to members of Congress, the impression is that those channels are making it in the marketplace because they see commercials on them, and everyone knows that commercial television is a successful business. That is not true for all cable channels, but that news is seldom reported because the cable channels not making profits continue to operate.

To privatize public television means that we would have to at least break even to continue to exist, which would be impossible if we continue to broadcast the special audience programs that we are currently carrying. Privatization would mean, as we know, common-denominator programming to serve large enough audiences to attract enough commercials to bring in the revenues to break even or to make a profit. Privatization would be the end of what we call public television today. And, privatization would mean another commercial television station (and probably another commercial radio station) in Kansas City. Do we need another one? Would it even be financially feasible?